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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

GAIL E. SANDLER,  
Plaintiff,

vs.

CARLOS E. FONTE M.D., LTD., a Nevada  
professional corporation, dba ADVANCED  
CARDIOVASCULAR SPECIALISTS; and  
CARLOS E. FONTE, individually,

Defendants.

Case No.: 2:21-cv-01044-JCM-VCF

**AMENDED STIPULATED  
DISCOVERY PLAN  
AND SCHEDULING ORDER**

**SPECIAL SCHEDULING REVIEW REQUESTED**

Plaintiff Gail E. Sandler and Defendants Carlos E. Fonte M.D., Ltd., a Nevada professional corporation, dba Advanced Cardiovascular Specialists, and Carlos E. Fonte ( "Defendants"), by and through their respective counsel of record, stipulate and agree to the following Amended Stipulated Discovery Plan and Scheduling Order:

1. On July 2, 2021, this Court entered its Order, ECF No. 14, approving the Stipulated Discovery Plan and Scheduling Order in this matter.

2. On October 27, 2021, this Court entered its Order, ECF No. 21, approving the Stipulation and Order to Stay Discovery Pending Early Neutral Evaluation Session submitted by the

1 parties.

2 3. The Early Neutral Evaluation session in this matter was held on December 3, 2021.  
3 The parties were unable to reach a settlement.

4 4. Therefore, under the terms of Stipulation and Order to Stay Discovery Pending Early  
5 Neutral Evaluation Session, the parties have agreed to submit an amended Discovery Plan and  
6 Scheduling Order by December 10, 2021.

7 5. The initial disclosures were made pursuant to Fed. R. Civ. 26(a)(1) by the parties  
8 prior to the entry of the stay of discovery:

9 a. Plaintiff made and served her initial disclosures on July 16, 2021; and

10 b. Defendants made and served their initial disclosures on July 23, 2021.

11 6. Unless otherwise limited by subsequent stipulations, the parties shall be allowed to  
12 conduct discovery to the full extent permitted under the Federal Rules of Civil Procedure.

13 7. The attorneys of record in this matter are registered for electronic filing with this  
14 Court. Any documents electronically filed with this Court are deemed to be sufficiently served on  
15 the other party as of the date that the document is electronically filed with this Court.

16 Pursuant to LR 26-1(e), the parties do hereby additionally stipulate to the following amended  
17 discovery plan and scheduling order:

18 1. Discovery Cut-Off Date: **June 1, 2022**, which is 180 days from December 3, 2021,  
19 the date on which the Early Neutral Evaluation session was held and, therefore, was the date the  
20 agreed-upon stay of discovery expired. Any stipulations or motions to extend the discovery period  
21 shall be filed no later than **May 11, 2022**, 21 days prior to the scheduled discovery cut-off, as  
22 required by LR 26-4. Any stipulations or motions to extend any other deadlines set forth below shall  
23 be filed no later than 21 days prior to the applicable deadline set forth below.

24 2. Amending the Pleadings and Adding Parties: All motions to amend the pleadings or  
25 to add parties shall be filed not later than **March 3, 2022**, 90 days prior to the scheduled close of  
26 discovery.

27 3. Fed. R. Civ. P. 26(a)(2) Disclosures (Experts): Disclosures concerning experts shall  
28 be made by **April 4, 2022**, 60 days before the close of discovery. Disclosures respecting rebuttal

experts shall be made by **May 4, 2022**, 30 days after the initial disclosure of experts.

4. Dispositive Motions: The date for filing dispositive motions shall be not later than **July 1, 2022**, 30 days after the discovery cut-off date. In the event that the discovery period is extended from the discovery cut-off date set forth in this Stipulated Discovery Plan and Scheduling Order, the date for filing dispositive motions shall be extended for the same duration, to be not later than 30 days from the subsequent discovery cut-off date.

5. Pretrial Order: The date for filing the joint pretrial order shall be not later than **August 1, 2022**, 30 days after the date set for filing dispositive motions. In the event that dispositive motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after decision on the dispositive motions or until further order of the court.

6. Fed. R. Civ. P. 26(a)(3) Disclosures: The disclosures required by Fed. R. Civ. P. 26(a)(3), and any objections thereto, shall be included in the pretrial order.

7. Alternative Dispute Resolution: The parties certify that they met and conferred about the possibility of using alternative dispute-resolution processes including mediation, arbitration, and early neutral evaluation.

8. Alternative Forms of Case Disposition: The parties certify that they considered consent to trial by a magistrate judge under 28 U.S.C. § 636(c) and Fed. R. Civ. P. 73, and to the use of the Short Trial Program (General Order 2013-01). The parties did not agree to consent to trial by magistrate judge or to the use of the Short Trial Program.

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1           9.     Electronic Evidence: The parties certify that they discussed whether they intend to  
2 present evidence in electronic format to jurors for the purposes of jury deliberations. The parties  
3 have agreed to produce electronically-stored evidence in either paper or .pdf format, absent a  
4 showing of good cause for such evidence to be produced in native format.

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6 DATED: 9 December 2021.

DATED: 9 December 2021.

7 LAW OFFICES OF ROBERT P. SPRETNAK

JACKSON LEWIS P.C.

8 By: /s/ Robert P. Spretnak  
Robert P. Spretnak, Esq.

By: /s/ Holly E. Walker  
Deverie J. Christensen, Esq.  
Holly E. Walker, Esq.

9 Attorney for Plaintiff

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14 IT IS SO ORDERED.

15   
16 UNITED STATES MAGISTRATE JUDGE

17 DATED: 12-10-2021  
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